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DE RUEHML #2697/01 1790030  
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FM AMEMBASSY MANILA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1747  
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS  
RHHMUNA/CDRUSPACOM HONOLULU HI  
RUEAIIA/CIA WASHDC  
RHEHNSC/NSC WASHDC  
RUEKJCS/SECDEF WASHDC

UNCLAS SECTION 01 OF 03 MANILA 002697

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E.O. 12958: N/A  
TAGS: [PHUM](#) [PREL](#) [RP](#)  
SUBJECT: GRP EFFORTS AGAINST EXTRA-JUDICIAL KILLINGS

REF: A. MANILA 2383  
[1](#)B. MANILA 2096

[1](#)1. (U) Summary: The GRP has geared up to focus more concerted attention on the troubling problem of extra-judicial killings, notably of leftist activists, journalists, judges, and suspected criminals. A month-old overall task force incorporates two existing subsidiary task forces within the Philippine National Police (PNP). Its data reflects the extent of the problem, although human rights groups tend to have even higher statistics of deaths. Prosecution is ongoing in dozens of cases (including one suspect who is a policeman), although there has apparently only been one conviction since 2001. GRP officials are looking at new programs to offer rewards, to improve a very weak witness protection program, and to provide access to databases that authorities can use to track down culprits and possibly to receive information from would-be witness who wish to remain anonymous. The Constitutionally-mandated Commission on Human Rights is also improving its databases, with some past assistance from the USG, and is working to invigorate its national system of information gathering. Systemic improvements advocated and often supported by the USG, including a proposed new Executive Order mandating police/prosecutor cooperation from the outset of cases and ongoing judicial reform to improve the efficiency of the legal system, should also bear fruit in the campaign against EKJs just as with regular murder cases and cases involving trafficking in persons, intellectual property rights, terrorism, etc. Embassy's Law Enforcement Working Group will continue to look for additional programs that could contribute to improvements in this system, especially with the expected arrival later this summer of an INL-funded USG senior law enforcement advisor. End Summary.

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Task Forces  
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[1](#)2. (U) In response to a string of extra-judicial killings (EJK), the GRP on May 13 set up "Task Force Usig" ("to prosecute") to coordinate efforts within the PNP to investigate these cases and to bring the culprits to justice. Under the leadership of PNP Deputy Director General for Operations General Avelino I. Razon, Jr., TF Usig also serves as an umbrella organization over a two year old "Task Force Newsmen" and a new "Task Force Judges, Prosecutors, and Lawyers," headed by the Deputy Director of the PNP's Criminal Investigation and Detection Group, General Pedro U. Tango. On June 19, Pol/C and poloff met with the two Task Force commanders and their staffs to convey USG concern about EJKs, to seek information about the PNP strategy to ensure justice, and to determine if there are additional ways the USG might be of assistance. (Septel will cover the Ambassador's June

23 meeting with the outgoing PNP chief, General Arturo Lomibao.)

13. (U) According to statistics gathered by the Task Forces, a total of 140 incidents of EJKs -- 113 against suspected leftists ("party list members") and 27 against journalists -- have taken place since 2001. (No statistics were yet available about cases involving judges, prosecutors, and lawyers.) There was a sharp peak in killings of leftists in 2005 -- 46 -- up from 19 in 2004 and only three in 2003, but Task Force officials were reluctant to provide an explanation. Their statistics showed that killings of newsmen held constant in 2004 and 2005 -- at seven per year -- but dropped to two so far in 2006. Police investigations have already led to the filing of 27 court cases for leftist killings (while only making three arrests; the others are still at large), and 21 cases in journalists' murders (with arrests in ten cases, including one policeman). One case involving the murder of a journalist has resulted in a conviction. General Razon and General Tango confirmed separately that the PNP continues to investigate all angles of the remaining cases, while simultaneously reaching out to witnesses, to those who are at risk, and to civil society groups and the Catholic Church that could potentially provide assistance or information. In an effort to safeguard journalists under threat, TF Newsmen also holds regular meetings with the National Union of Journalists in the Philippines (NUJP) to share information and to educate media figures in regards to their safety. The national Task Forces also now have their regional, provincial, and local counterparts, at least on paper.

14. (U) Both Task Force leaders admitted that a major difficulty is convincing eyewitnesses to come forward. The

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PNP is examining new incentives, such as a reward program, and is also working with the Department of Justice to improve to its chronically underfunded witness protection program. TF Usig has also now created a new database (including details of the cases as well as -- whenever possible -- sketches or photos of suspects) that should be available even to those in its field offices for the use by investigators and local police in tracking down culprits nationwide. TF Usig is also exploring the possibility of allowing anonymous tips from eyewitnesses electronically to speed up investigations even when witnesses do not wish to appear in public.

15. (U) Some of the investigations have led the PNP to conclude that suspected Communist Party of the Philippines/New People's Army members were involved in at least 15 killings of leftists, while several deaths earlier classified as leftist killings likely had no particular party list connection. TF Usig's analysis so far is that there is a mixture of reasons for the killings, involving not only CPP/NPA but also "suspected military and police personnel" and "possible destabilizing forces."

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Other Estimates, Latest Killings  
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16. (SBU) Philippine human rights group Karapatan (itself made up of several leftist organizations) puts the number of leftist killings at 684 since June 2001, including 96 in 2006. The NUJP disputes Task Force Newsmen's figure of 27 incidents, claiming that 44 have been killed. The Philippine Commission on Human Rights (CHR) also has different statistics than TF Usig, but its officials have questioned whether higher numbers last year in particular may reflect better information gathering rather than a genuine surge of violence. Incidents continue: on June 19, a married couple working as part-time radio commentators were gunned down as they left a public market in Kidapawan City, North Cotabato, Mindanao. On June 20, a former CPP/NPA member -- who had

since left the CPP/NPA to work for Karapatan -- was gunned down near his home in Guihulngan, Negros Oriental. On June 22, a lawyer in Metro Manila was shot and killed, along with her pastor, by two men as she left her Bible study class, although it is far from clear that she was a target as a lawyer.

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The Commission on Human Rights  
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17. (U) Pol/C and poloff met on June 15 with CHR Chairwoman Purificacion Quisumbing to discuss the CHR strategy on EJKs. The CHR on May 23 had issued a strongly worded press release condemning the killings and demanding accountability, regardless of who was responsible (ref b). Quisumbing described a recent visit from TF Usig, seeking to enhance cooperation. The CHR offered access to its broad database, which not only compiles information but also enables the CHR to communicate more effectively with its many regional and provincial offices. USG assistance contributed to part of this upgrade. In mid-July, the CHR plans to unveil the new database at its regional office in Davao City and make it available to the public and NGOs wishing to report and/or research EJK cases. Mission is planning to send a representative to attend the rollout event.

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Systematic Improvements  
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18. (U) In addition to the creation of the PNP task forces and the on-going CHR improvements and investigations, the GRP has taken other steps to address more systemic rule of law issues that hamper effective prosecutions and convictions. At our urging, the Department of the Interior and Local Government (DILG) drafted an Executive Order (EO) that would mandate cooperation between police and prosecutors from the outset of a case; at present, the role of the police ends when charges are filed and/or an arrest is made -- the case is then considered by the PNP as "solved." The EO -- which DILG Secretary Puno confirmed recently he had sent to President Arroyo for signature -- will help ensure that police gather the evidence needed by prosecutors for an effective trial. Furthermore, ongoing judicial reform -- supported by USAID technical assistance working with the Philippine Supreme Court -- has reduced the backlog of cases, provided training for prosecutors and judges, and shared best

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practices between U.S. and Philippine judges.

19. (U) Comment: Changing the seeming culture of impunity, transforming PNP operational effectiveness, and improving the delivery of justice throughout the Philippines are long-term challenges that are central to the US Mission's objectives in the Philippines. Resource deficiencies and lack of training within the Philippine government remain major constraints; overall, there is a sadly low rate of arrests and convictions for all types of crimes, including terrorism, trafficking in persons, and intellectual property right violations. The Mission's Law Enforcement Working Group will continue to seek additional programs that can contribute to improvements in this system, especially with the expected arrival later this summer of an INL-funded USG senior law enforcement advisor to the PNP.  
Kenney